

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 6/13/03.

## **I. DISPUTE**

Whether there should be reimbursement for as repeat MRI – 73221-TE given 2/3/03 and denied by the carrier for lack of preauthorization.

## **II. RATIONALE**

Rule 134.600 (b)(1) states, “The insurance carrier is liable for all reasonable and necessary medical costs relating to the health care required to treat a compensable injury... when...

- (B) preauthorization of any health care listed in subsection (h) of this section was approved prior to providing the health care;”

Rule 134.600 (h) states, health care requiring preauthorization includes...(i)

- (8) unless otherwise specified, a repeat individual diagnostic study, with a fee established in the current Medical Fee Guideline of greater than \$350...”

The medical report from the requestor, dated 2/3/03, verifies the disputed MRI was a repeat examination, with the initial MRI occurring 10/22/02.

Instructions regarding the correct workers compensation carrier should have come from the treating doctor who prescribed the MRI. Incorrect information received from the injured worker does not affect the requestor’s responsibility to obtain preauthorization. On this basis, reimbursement is not recommended.

## **III. DECISION & ORDER**

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for repeat MRI – 73221-TE.

The above Findings and Decision are hereby issued this 14<sup>th</sup> day of January 2004.

Noel L. Beavers  
Medical Dispute Resolution Officer  
Medical Review Division

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